



Date Mailed: January 20, 2026
Docket No.: 25-044786
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [REDACTED]

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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Docket No.: 25-044786

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 42 CFR 438.400 to 438.424; 45 CFR 99.1 to 99.33; and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a hearing was held by teleconference on January 14, 2026. Petitioner appeared and was represented by their Authorized Hearing Representative (AHR) and son, [REDACTED]. The Department of Health and Human Services (Department) was represented by Jamila Goods, Eligibility Specialist and Hearings Facilitator.

ISSUE

Did the Department properly determine Petitioner's Medicaid (MA) eligibility?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner entered the United States (US) on [REDACTED] 2024, on a B-1/B-2 visa.
1. On July 3, 2025, the Department received verification that Petitioner became a permanent legal resident of the US on June 20, 2025, with an immigration class code of IR0. (Exhibit A, pp. 8 – 9).
2. On July 7, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that approved her for Emergency Services Only (ESO) MA effective August 1, 2025. (Exhibit A, pp. 10 – 12).
3. On [REDACTED] 2025, the Department received an application for MA from Petitioner through the Federal Facilitated Marketplace (FFM). Petitioner reported that she is not a US citizen but has an eligible immigration status. (Exhibit A, pp. 15 – 24).
4. On November 14, 2025, the Department sent Petitioner a HCCDN that approved her for ESO MA effective December 1, 2025. (Exhibit A, pp. 25 – 27).

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5. On November 24, 2025, the Department received a request for hearing from Petitioner's AHR, disputing the Department's determination of her MA eligibility. (Exhibit A, pp. 3 – 6).
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CONCLUSIONS OF LAW

Department policies are contained in the Department of Health and Human Services Bridges Administrative Manual (BAM), Department of Health and Human Services Bridges Eligibility Manual (BEM), Department of Health and Human Services Reference Tables Manual (RFT), and Department of Health and Human Services Emergency Relief Manual (ERM).

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

Petitioner requested a hearing to dispute the Department's determination of her MA eligibility. The Department approved Petitioner for ESO MA effective December 1, 2025.

To be eligible for full MA coverage a person must be a US citizen, or a non-citizen admitted to the US under a specific immigration status. BEM 225 (October 2025), p. 2. For purposes of MA, a non-citizen admitted to the US on or after August 22, 1996, who:

- a) Is a lawful permanent resident with a permanent resident card with a class code¹ *other than* Refugee (RE), Amerasian (AM), or Asylee (AS), or
- a) Has been paroled into the US for at least one year under the Immigration and Nationality Act (INA), Section 212(d)(5); and
- b) Is not a qualified military non-citizen, or the spouse or dependent child of a qualified military non-citizen,

is limited to ESO MA coverage for the first five years they are in the US. BEM 225, pp. 3 – 10, 34 – 38. This is identified in Department policy as a five-year bar. BEM 225, p. 34.

In this case, there was no dispute that Petitioner entered the US on [REDACTED] 2024, and that she was issued a permanent legal resident card on [REDACTED] 2025, with a class

¹ Class codes are used to describe the visa category used to admit an immigrant to the US as a permanent or temporary resident. See <https://ohss.dhs.gov/topics/immigration/lawful-permanent-residents/immigrant-classes-admission>.

code of IR0, which represents 'parents of adult U.S. citizens, adjustments'.
<https://ohss.dhs.gov/topics/immigration/lawful-permanent-residents/immigrant-classes-admission>.

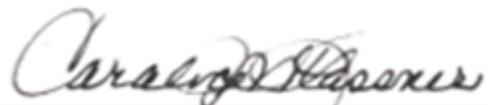
Petitioner's AHR testified that, while he did not dispute the eligibility requirements for MA outlined in Department policy, he was requesting an exception to the policy based on Petitioner's advanced age and medical needs. However, the only exception to the five-year bar is for children under age 21 and certain pregnant individuals (BEM 225, pp. 34 – 35), and there was no evidence that Petitioner met the requirements for an exception.

Therefore, because Petitioner has not lawfully resided in the US for five years or have an eligible class code, the Department properly determined that her eligibility for MA is limited to ESO MA at this time.

DECISION AND ORDER

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it determined Petitioner was eligible for Emergency Services Only MA.

Accordingly, the Department's decision is **AFFIRMED**.



CARALYCE M. LASSNER
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://lrs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.



Via Electronic Mail:

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Authorized Hearing Rep

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Petitioner

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